



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

PATENT DOCKET CLERK  
COWAN, LIEBOWITZ & LATMAN, P.C.  
1133 AVENUE OF THE AMERICAS  
NEW YORK NY 10036

MAILED  
JUN 08 2009  
OFFICE OF PETITIONS

In re Patent No. 6,953,453 :  
Issue Date: October 11, 2005 :  
Application No. 09/919,254 : NOTICE UNDER 37 CFR. 1.28(c)  
Filed: July 31, 2001 :  
Attorney Docket No. ANGIO P-15 - :  
500622.2000 :

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 01, 1998, the court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

There is no indication that the person signing the petition was ever given a power of attorney to prosecute the application. If the person signing the petition desires to receive future correspondence regarding this application, the appropriate power of attorney documents must be submitted. While a courtesy copy of this decision is being mailed to the person signing the petition, all future correspondence will be directed to the address currently of record until appropriate instructions are received.

Inquiries related to this communication should be directed to the Michelle R. Eason at (571) 272-4231.



Thurman Page  
Petitions Examiner  
Office of Petitions

cc: **KENDAL M. SHEETS**  
**CPA NORTH AMERICA, LLC**  
**225 REINEKERS LANE, SUITE 400**  
**ALEXANDRIA, VA 22314**